

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF WEST VIRGINIA
AT CHARLESTON

UNITED STATES OF AMERICA

v.

CRIMINAL ACTION NO. 2:09-00113-01

TAI SHEPPERSON

SUPERVISED RELEASE REVOCATION AND JUDGMENT ORDER
MEMORANDUM OPINION AND ORDER

On October 6, 2021, the United States of America appeared by Negar M. Kordestani, Assistant United States Attorney, and the defendant, Tai Shepperson, appeared in person and by his counsel, Andrew J. Katz, Esq., for a hearing on a petition, seeking revocation of supervised release, submitted by United States Probation Officer Steven M. Phillips. The defendant commenced a fifty-six (56) months term of supervised release in this action on May 15, 2018, as more fully set forth in the Supervised Release Revocation and Judgment Order Memorandum Opinion and Order entered by the court on February 15, 2018.

The court heard the admissions of the defendant, and the representations and arguments of counsel.

For reasons noted on the record of this proceeding, which are ORDERED incorporated herein by reference, the court found by a preponderance of the evidence that the defendant has violated the conditions of supervised release in the following respects: (1) on August 27, 2020, September 29, 2020, October 5, 2020, November 16, 2020, and November 25, 2020, the defendant submitted urine specimens that tested positive for marijuana; (2) on November 12, 2020, the defendant submitted a urine specimen that tested positive for marijuana and cocaine; and, (3) on June 1, 2021, June 8, 2021, June 15, 2021, and June 28, 2021, the defendant submitted urine specimens that tested positive for cocaine (4) on November 24, 2020, December 15, 2020, December 29, 2020, February 8, 2021, February 16, 2021 February 22, 2021, March 8, 2021, March 29, 2021, and April 12, 2021, the defendant failed to report for mandatory urine screens; and, (5) on July 4, 2021, the defendant failed to return home by his curfew hour of 11:00 p.m., and returned home at 12:06 a.m., from the Red Carpet Lounge; all as set forth in the petition and all as admitted on the record of the hearing.

And the court finding, as more fully set forth on the record of the hearing, that the violations warrant revocation of

supervised release and, further, that it would unduly depreciate the seriousness of the violations if supervised release were not revoked, it is ORDERED that the supervised release previously imposed upon the defendant in this action be, and it hereby is, revoked.

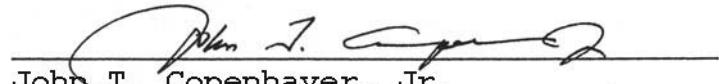
And the court having complied with the requirements of Rule 32.1(b) (2) and (c) (1) of the Federal Rules of Criminal Procedure, and finding, after considering the factors set forth in 18 U.S.C. § 3583 (e), that the defendant should be confined to the extent set forth below, it is accordingly ORDERED that the defendant be, and he hereby is, committed to the custody of the United States Bureau of Prisons for imprisonment for a period of SIX (6) MONTHS, on each Count One, Count Two, Count Three, Count Four, and Count Five to run concurrently with each other, for a total of six months imprisonment, with credit for time served, and with a term of THREE (3) YEARS of supervised release imposed on each Count One and Count Two, to run concurrently with each other upon the same terms and conditions of supervised release as heretofore, except that the GPS monitoring is not again imposed, and if the defendant has an opportunity to become employed as a truck driver that requires him to travel outside this district, the defendant may seek

approval of the court to travel outside this district for such employment purposes. No further term of supervised release for Count Three, Count Four and Count Five is imposed.

The defendant was remanded to the custody of the United States Marshal.

The Clerk is directed to forward copies of this written opinion and order to the defendant, all counsel of record, the United States Probation Department, and the United States Marshal.

DATED: October 7, 2021



John T. Copenhaver, Jr.
Senior United States District Judge